



# ***Utilities 101***

*What EVERY Transportation Engineer Should Know!*

*- Tom Bane State Utilities Engineer*

## **DISCLAIMER**

## What is a utility?

A description of things that some authority has control over.

Different authorities control different things.

## Rule Of Thumb for FDOT.

Anything in the R/W that is:

Not owned by FDOT, not access, doesn't dump water on the R/W, and is not Temporary.

# Typical Utilities

## Public

Potable Water  
Sanitary Sewers  
Storm Sewers  
Street lights  
Electricity  
Gas  
Oil

## Private

Electricity  
Gas  
Oil  
Telephone  
Cable TV  
Internet

## Other

Fence lines  
Ditches  
Conveyors  
Coolants  
Fuel line  
Structures

# Things that are not utilities

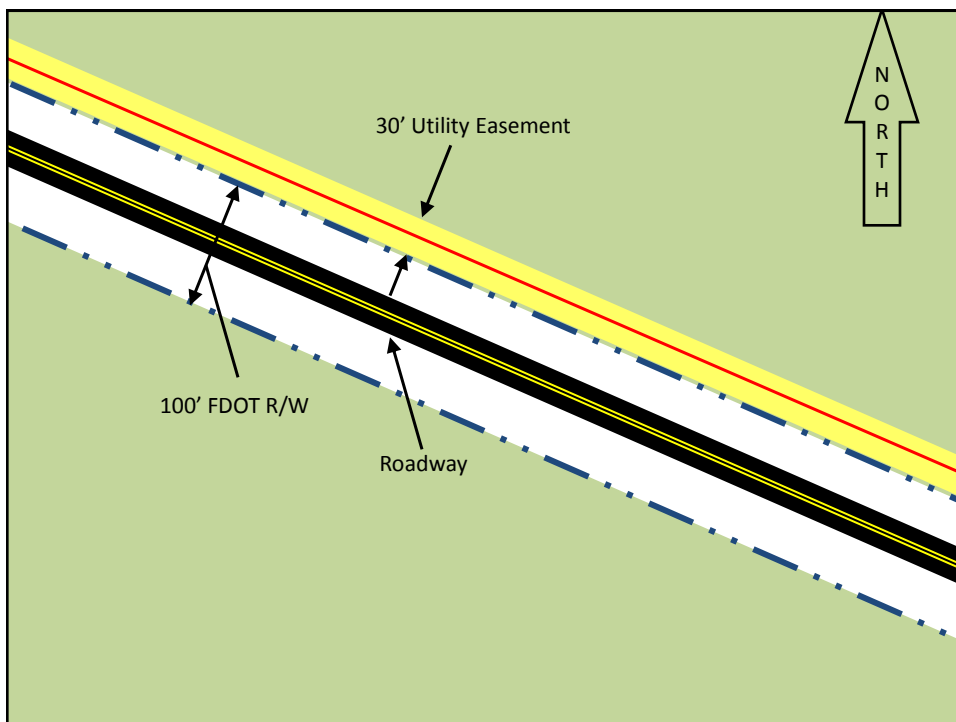
Drainage pipes	Highway Fence lines
FDOT service lines	High mast lighting
ITS lines	Landscape Sprinklers
Traffic Signals poles	Red-light cameras
Payphone booths	Rest area water/sewer
Customer service lines	Driveways

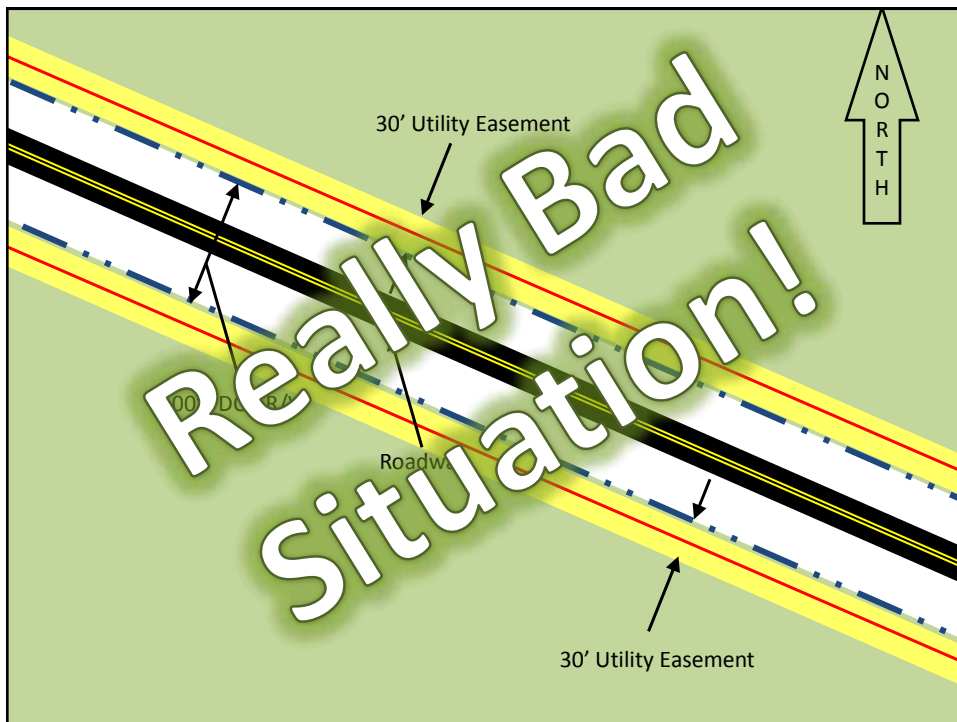
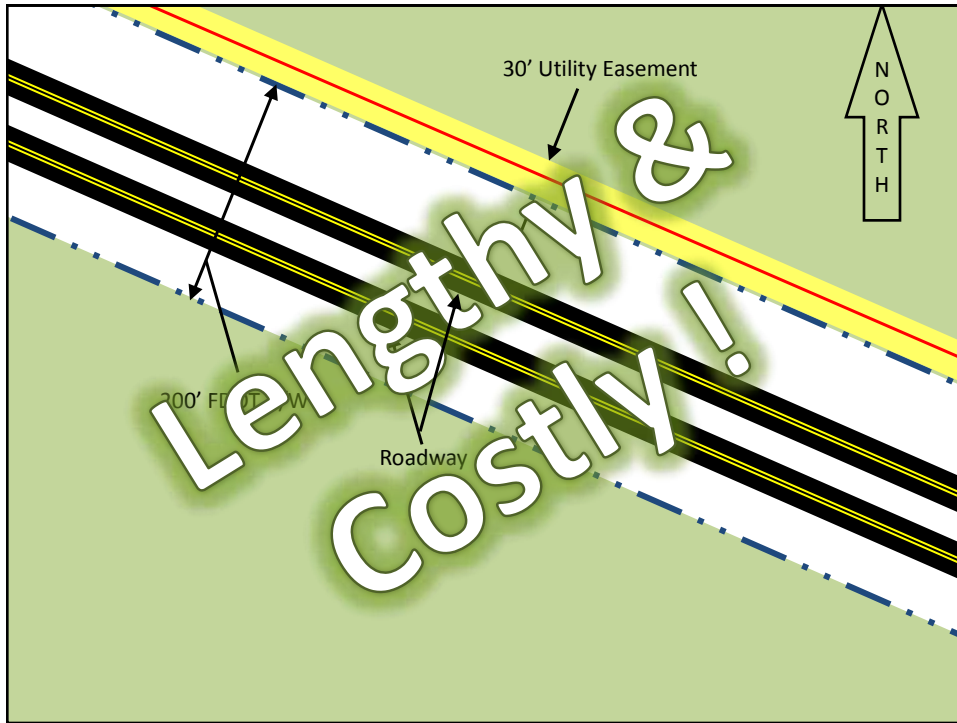
Why do we allow  
utilities on the R/W  
in the first place?

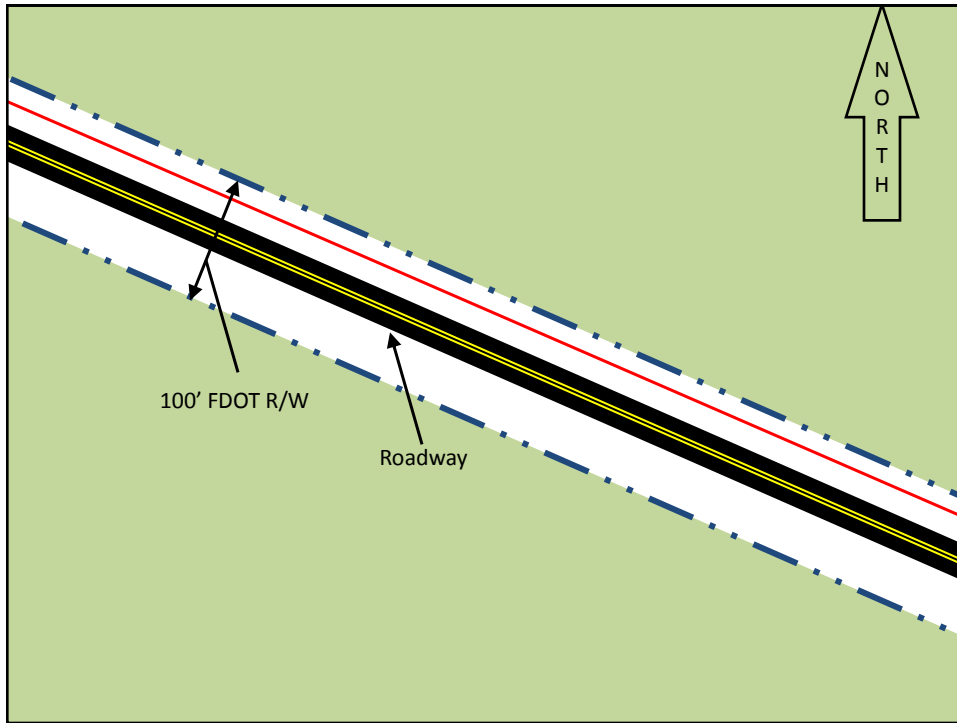


OK, let them cross!

But, why do we  
allow utilities to run  
longitudinally in the  
R/W?









OK, we have to let  
them in the R/W,  
But,  
how do we work  
with them?

### Instruments used when working with utilities.

- |                    |  |
|--------------------|--|
| <b>Agreement:</b>  | <ul style="list-style-type: none"> <li>• Freely entered</li> <li>• May be unilaterally vacated</li> <li>• Can't order someone into agreement.</li> </ul>   |
| <b>Contract:</b>   | <ul style="list-style-type: none"> <li>• Payment for services</li> <li>• Cannot be vacated unless both agree.</li> <li>• Must fulfill the contract.</li> </ul>                                   |
| <b>Rule:</b>       | <ul style="list-style-type: none"> <li>• Chapter 120 F.S. and Chapter 14-46 F.A.C.</li> <li>• Allows those governed a voice.</li> <li>• Can be required without individual agreement.</li> </ul> |
| <b>Regulation:</b> | <ul style="list-style-type: none"> <li>• PSC not FDOT</li> <li>• Allows those governed a voice.</li> <li>• Governs where, when, who and how much services are provided.</li> </ul>               |
| <b>Order:</b>      | <ul style="list-style-type: none"> <li>• Directs one party to do something without agreement.</li> <li>• Must have statute authority</li> <li>• Must be reasonable.</li> </ul>                   |
| <b>License:</b>    | <ul style="list-style-type: none"> <li>• Grants a party permission, not a right.</li> <li>• Conditions established by Rule.</li> <li>• Can be granted by silence.</li> </ul>                     |



Documents used by FDOT when dealing with utilities.

Florida Statutes 327.401 - 327.404

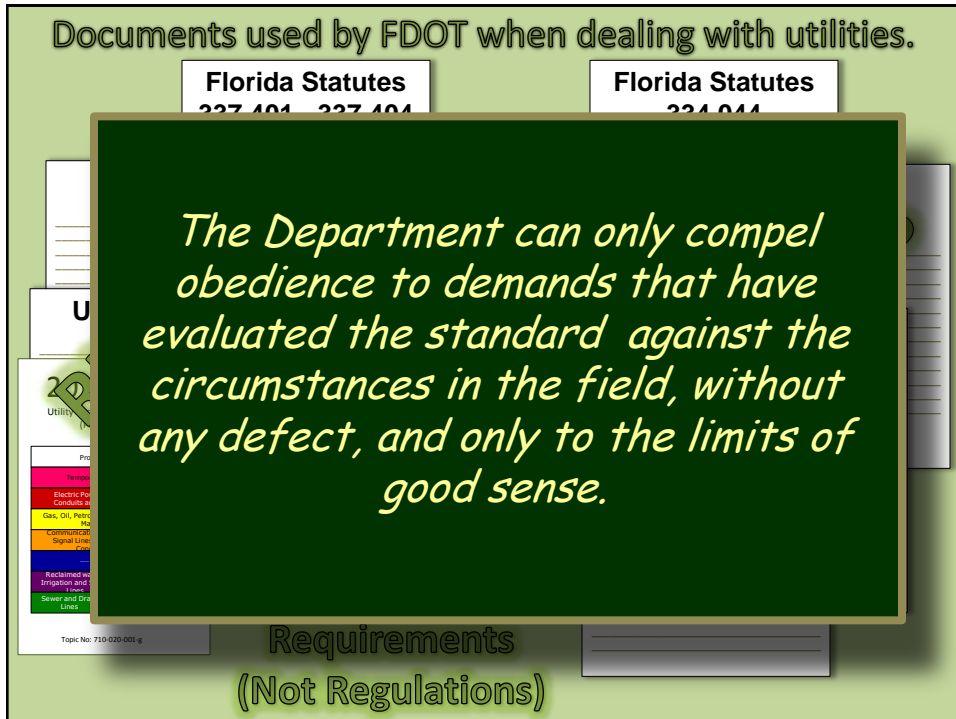
Florida Statutes 324.044

*The Department can only compel obedience to demands that have evaluated the standard against the circumstances in the field, without any defect, and only to the limits of good sense.*

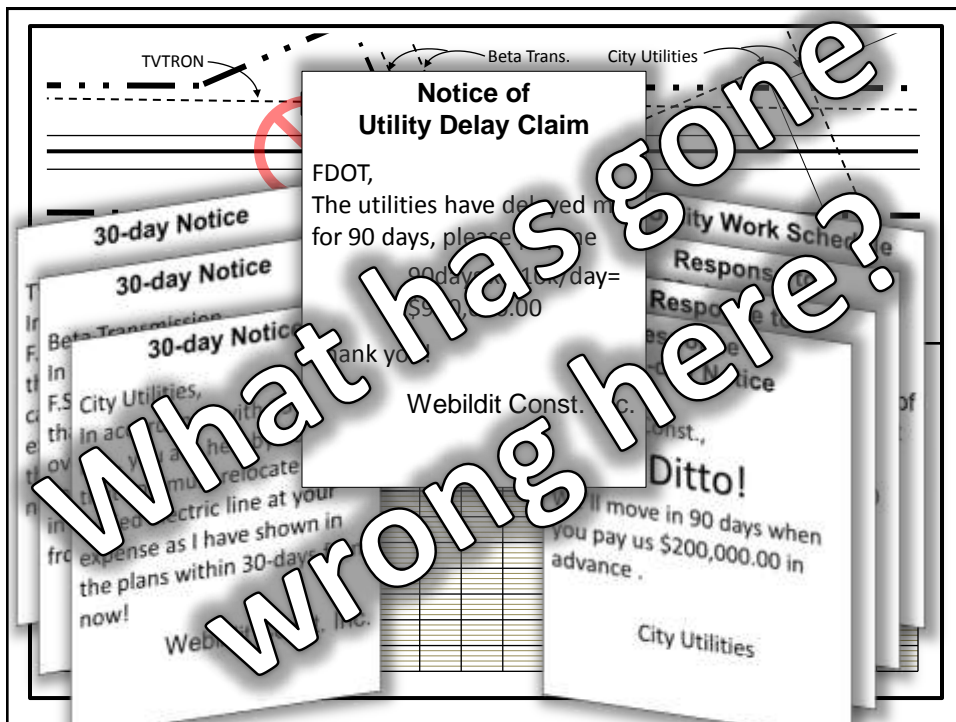
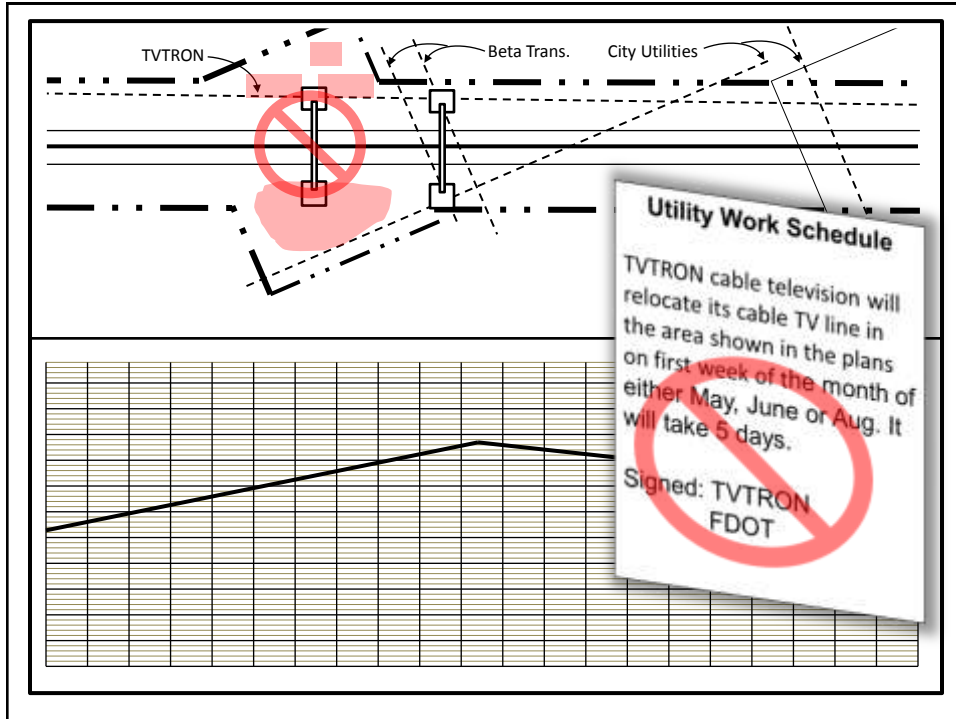
Utilities

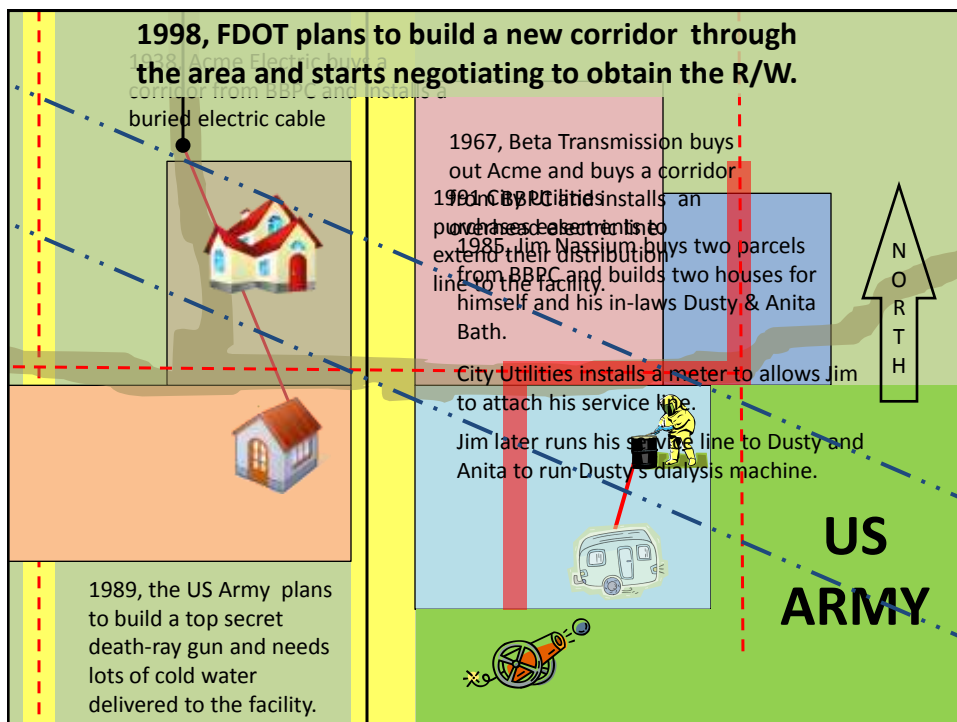
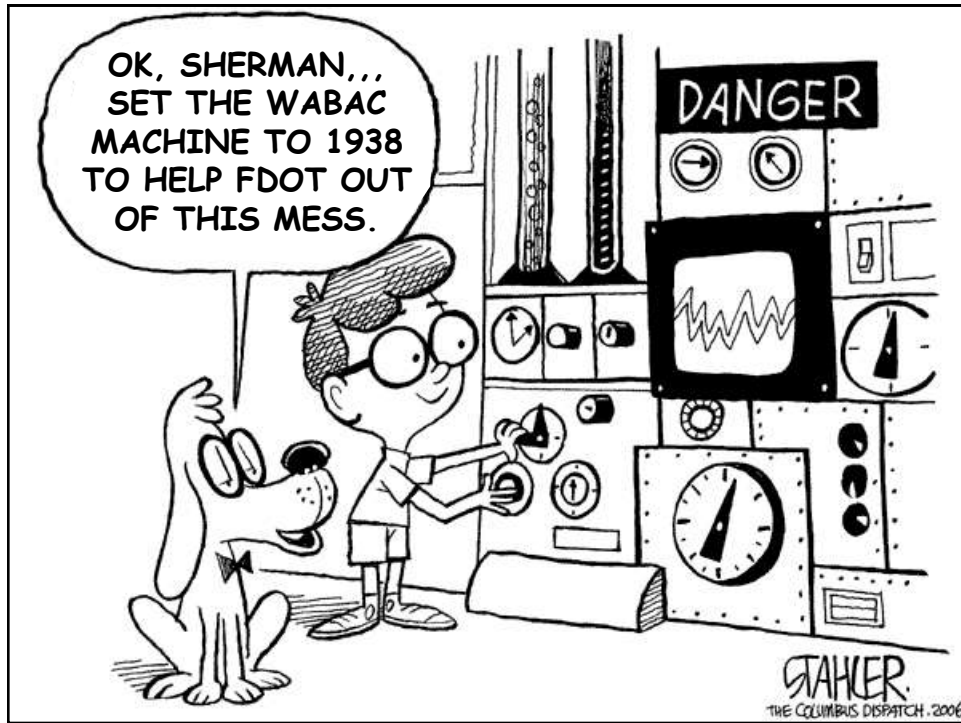
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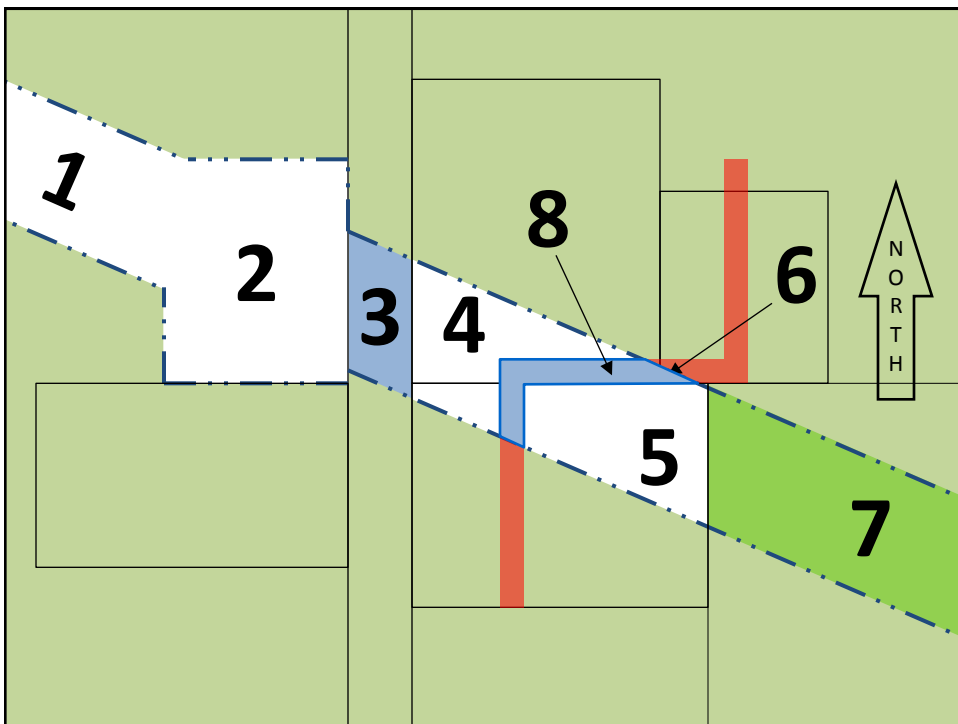
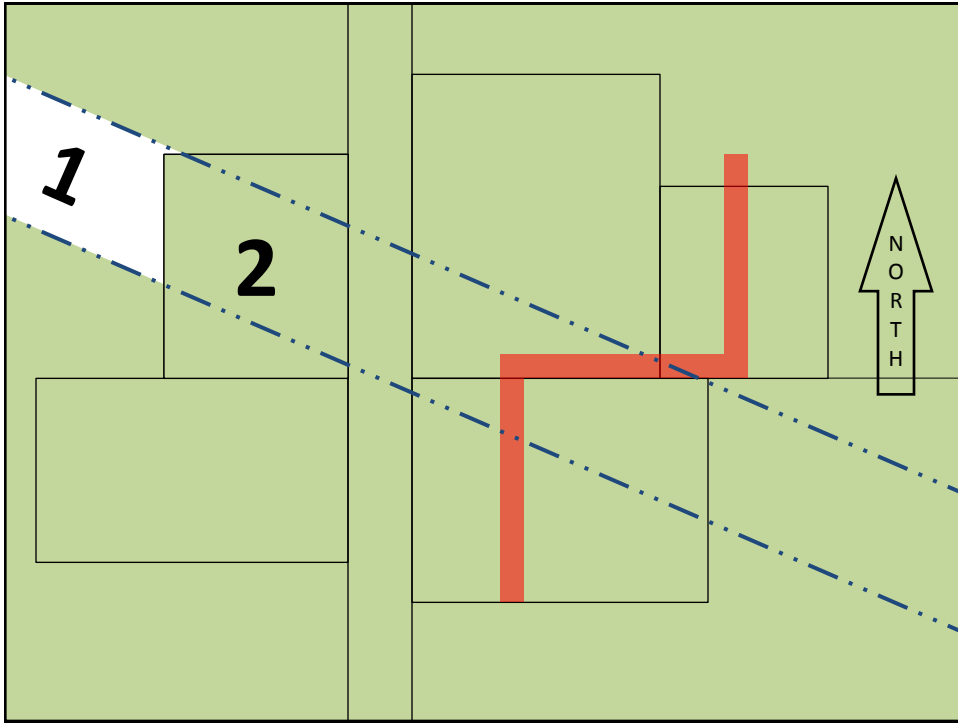
Requirements  
(Not Regulations)

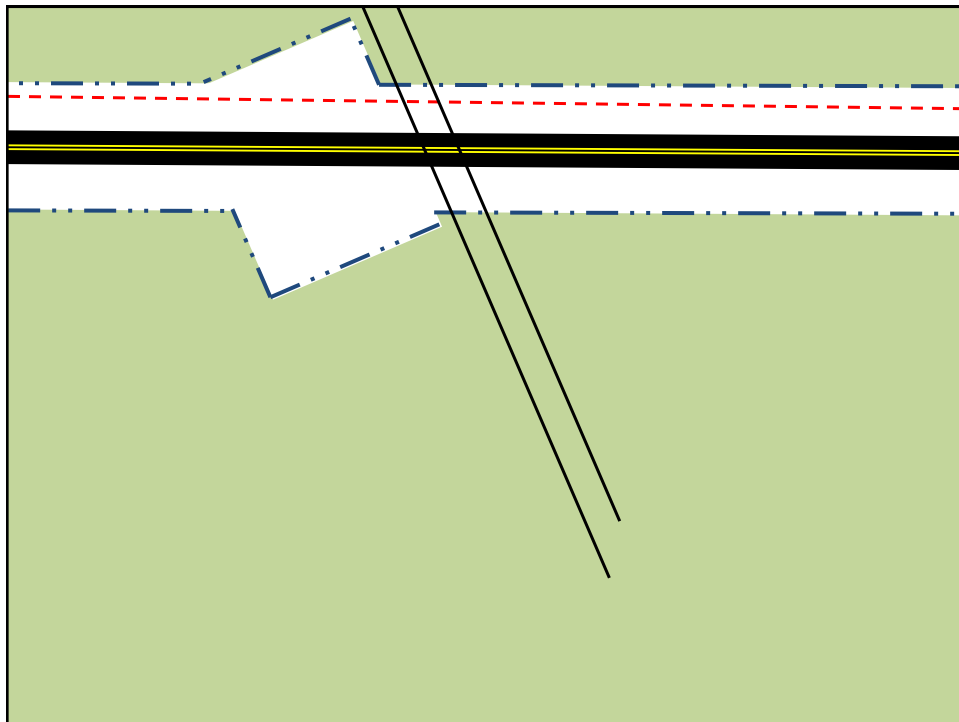
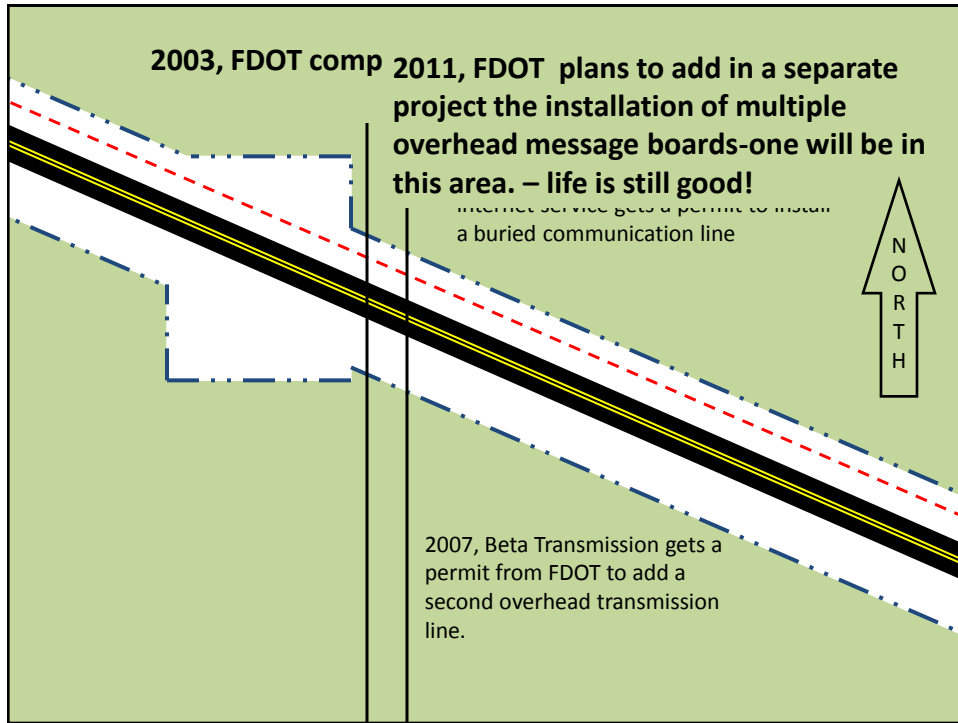


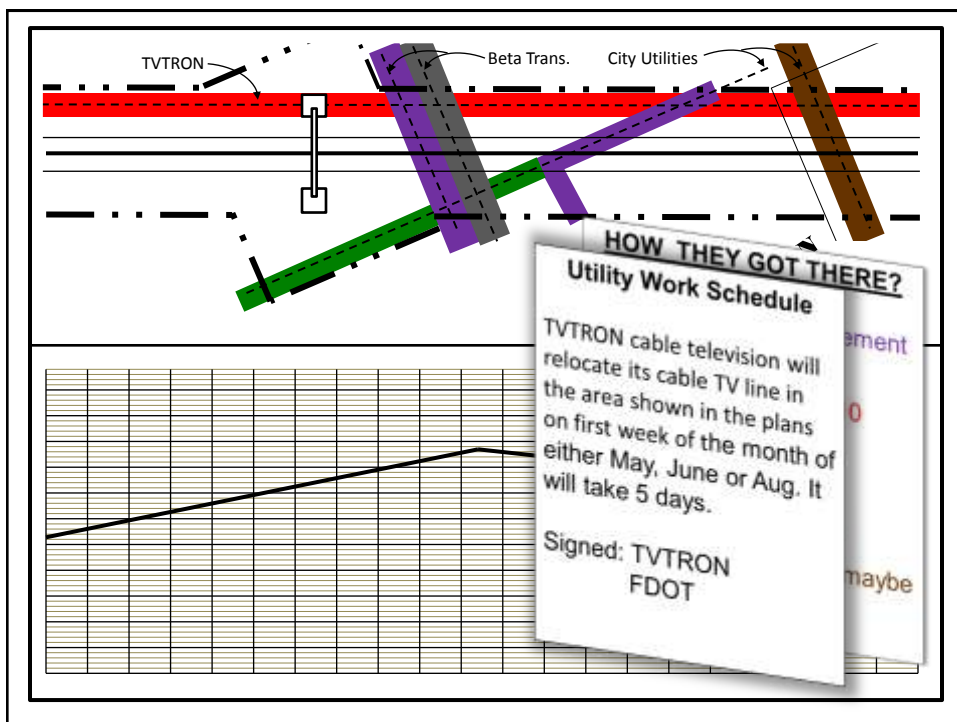
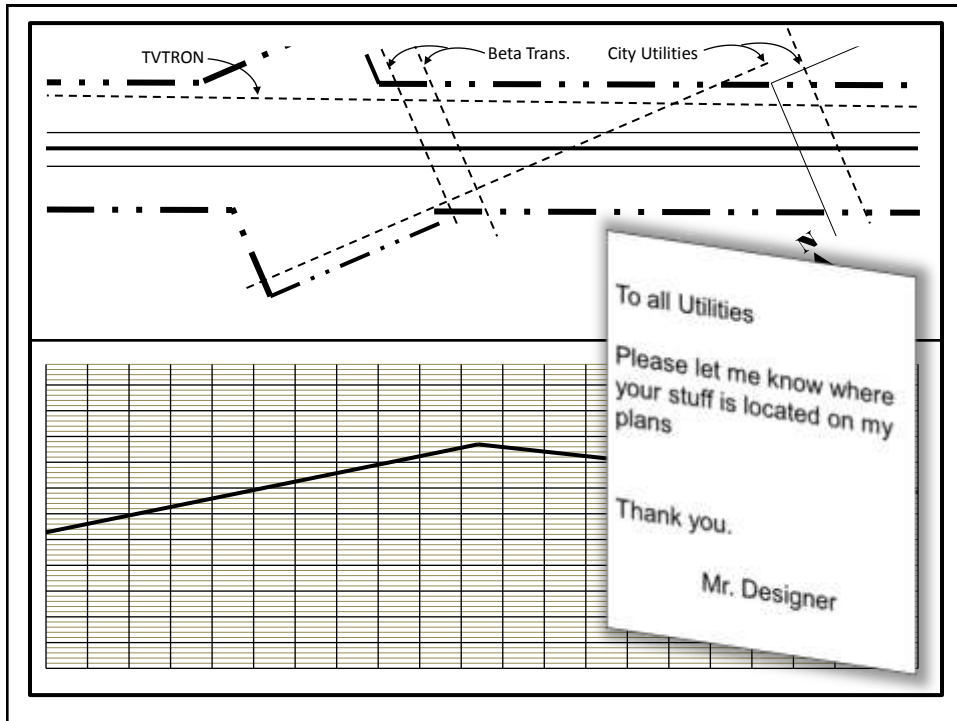
With so many  
instructions. How  
could things ever  
go wrong.

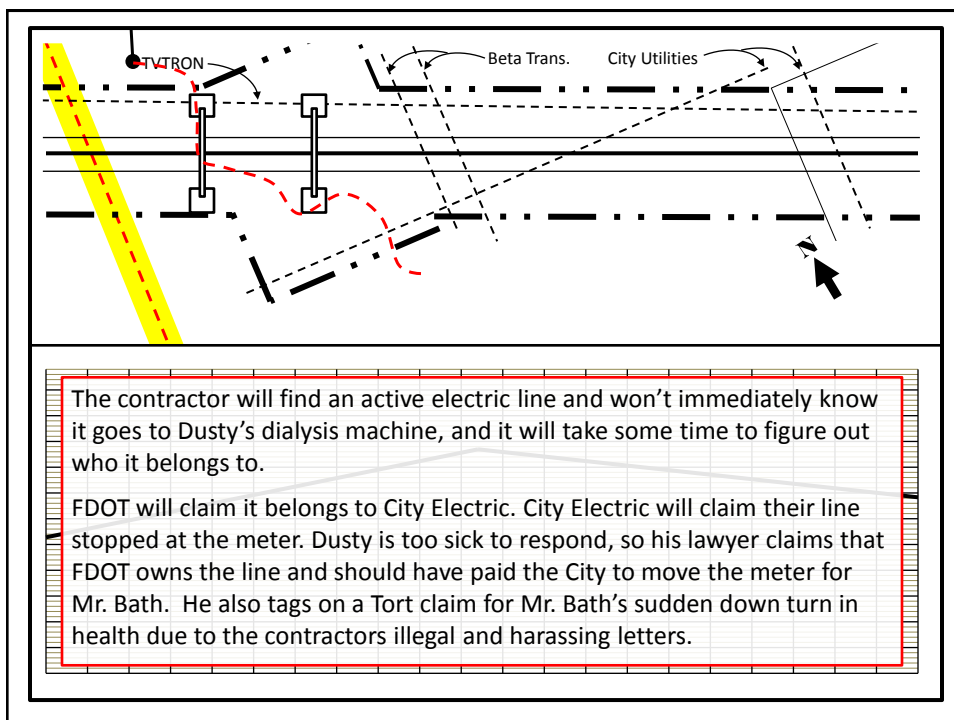
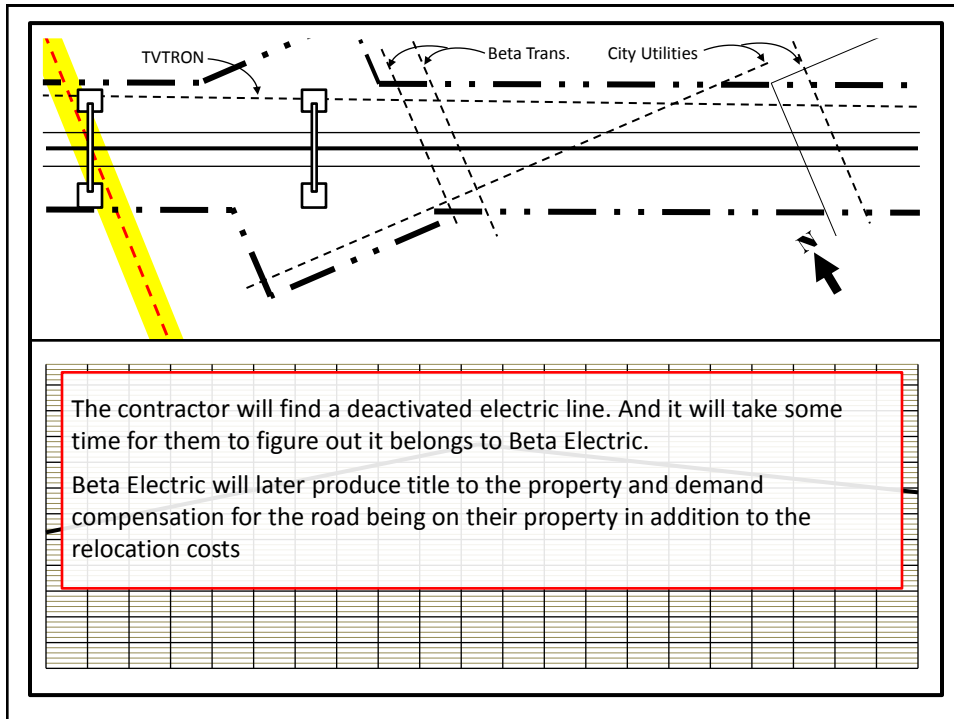




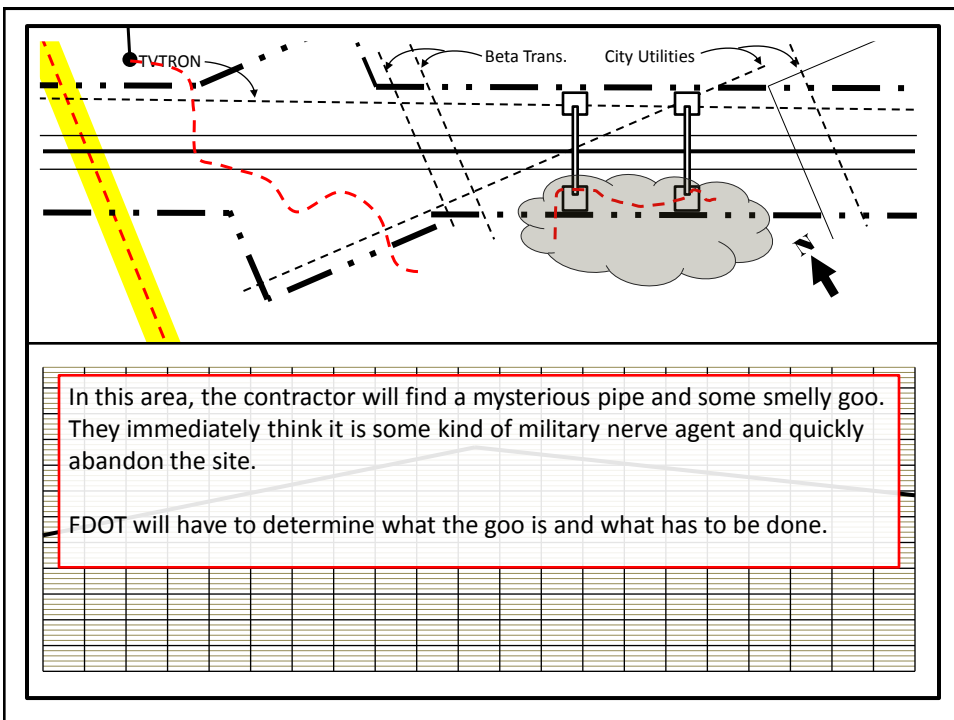
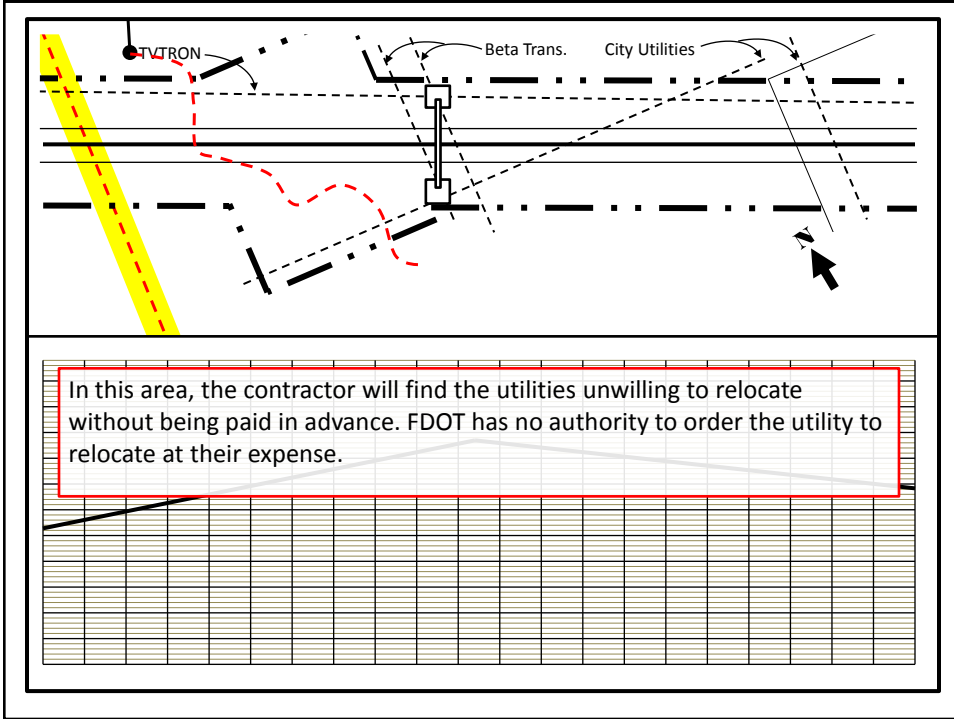


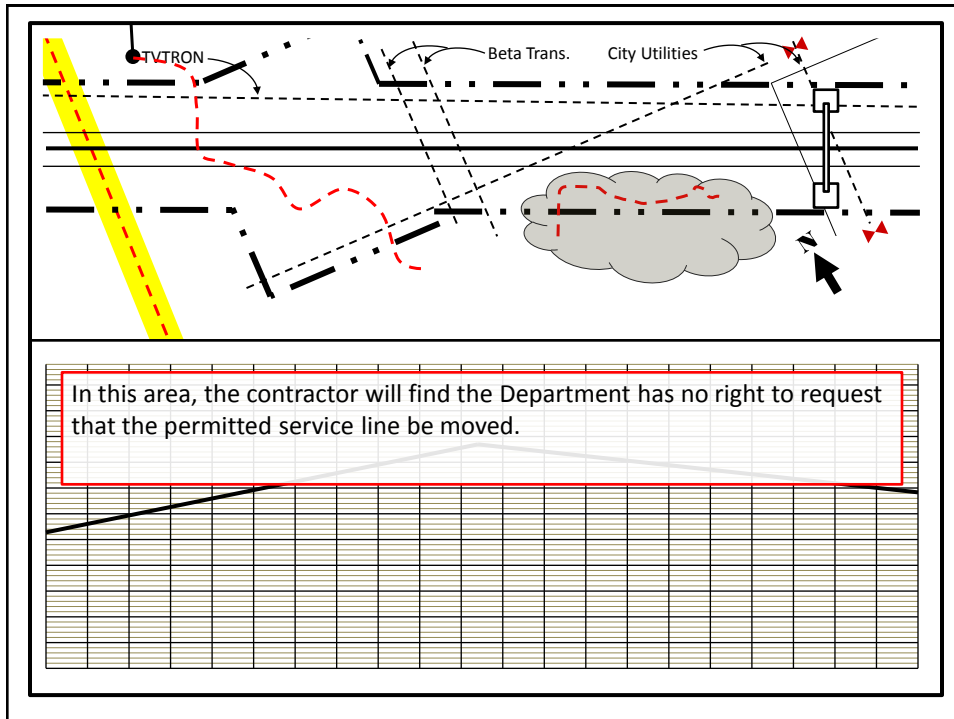












# FAQ

Why do we let utilities cross our R/W?

It would be impossible to provide utility services.

# FAQ

What advantage does FDOT get for having utilities permitted longitudinally in the R/W?

It aids expansion and lowers costs.

# FAQ

Can FDOT order utilities to relocate at their expense?

It depends.

# FAQ

Do utilities have property rights when on FDOT R/W?

It depends.

# FAQ

Can FDOT order a utility to enter into Subordination Agreement?

No.

# FAQ

Can FDOT order the utilities to agree to be bound by requirements not in Rule 14-46 or the UAM?

Generally not.

# FAQ

Can a utility enter into an agreement that binds the utility to requirements not in Rule 14-46 or the UAM?

Yes.

# FAQ

What is the most common answer to all utility questions?

"It depends."

Less Frequently  
Asked Questions  
Yours!